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3	Irvine, CA 92614 Telephone: (949) 852-6700				
4	Facsimile: (949) 261-0767				
· 5	Attorneys for Plaintiffs UNITED STATES FIDELITY AND GUARANTY COMPANY, et al.				
7					
8	UNITED STATES DISTRICT COURT				
9	NORTHERN DISTRICT OF CALIFORNIA				
10					
11	UNITED STATES FIDELITY AND GUARANTY COMPANY, et al.,	Case No. C03-5376-SBA (EMC) (RELATED CASE)			
12	Plaintiffs,				
13	٧.	1			
14	THE SCOTT COMPANIES, INC., et al.,				
15	Defendants.				
16		Case No. C06-5590 EMC			
17	UNITED STATES FIDELITY AND GUARANTY COMPANY, et al.,	(RELATED CASE)			
18	Plaintiffs,	STIPULATION AND ORDER RE:			
19	٧,	LIFTING TRO FOR LIMITED PURPOSE OF PERMITTING JOSEPH GUGLIELMO			
20	ROBERT NURISSO, et al.,	TO PAY BANK OF AMERICA ACCOUNT FUNDS TO PLAINTIFFS; ORDER			
21	Defendants.				
22		<b>l</b> .			
23	Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance				
24	Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance				
25	Company (collectively, "Plaintiffs") and Defendant Joseph Guglielmo, by and through their				
26	counsel of record, stipulate and agree as follows:				
27					
28 Watt, Tieder,		STIPULATION AND ORDER			
HOFFAR & FITZGERALD, L.L.P.		C03-5376-SBA C06-5590-EMC			

## WHEREAS. 1 On September 22, 2006, a Stipulation and Order Re: Issuance Of Temporary 2 A. Restraining Order ("TRO") was entered in the instant action. 3 There are funds in the amount of \$68,013.82 held in Bank of America bank В. 4 account no. 05255-40012 that is in the name of Guggs Investments, LP and/or 5 Joseph Guglielmo ("Bank Funds") that are subject to the TRO. 6 C. A Judgment dated June 1, 2007 ("Judgment") and an Order Granting in Part and 7 Denying in Part Plaintiffs' Motion for Attorneys' Fees, Expenses, and Costs 8 dated September 18, 2007 ("Order") were both entered in favor of Plaintiffs and 9 against Guglielmo in both of these actions. 10 Plaintiffs, Guglielmo and Guggs Investments, LP have agreed that the Bank Funds D. 11 will be paid to Plaintiffs to satisfy a portion of the amounts owed Plaintiffs under 12 the Judgments and Orders. 13 WHEREFORE, Plaintiffs, Guglielmo and Guggs Investments, LP agree that, as to the 14 Bank Funds only, the TRO will be lifted so that the funds can be paid to Plaintiffs. 15 16 IT IS SO STIPULATED. 17 WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P. 18 Dated: July August 5,2008 19 By: 20 Counsel for Plaintiffs 21 Dated: July 3 LAW OFFICES OF JAMES M. SULLIVAN, INC. 22 23 Counseller Toseph Guglielmo, Ardis Guglielmo and Guggs Investments, LP 24 25 Joseph Guglielmo Dated: July 1, 2008 26 27 By: 28 STIPULATION AND ORDER Watt, Tieder, Hoffar & C03-5376-SBA TZGERALD, L.L.P. C06-5590-EMC

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1	Dated; July, 2008	Ardis Guglielmo		
2		Ву:		
3				
4	Dated: July 31, 2008	Guggs Investments, LP		
5		By: Af Mylak may		
6 7		Pfinted: <u>Joe Guldtraum v</u> Ils: General Partner		
8				
9		ORDER		
10	Based upon the foregoing	stipulation, and good cause appearing therefore, the Court		
11	orders that the temporary restrain	ing order entered on September 22, 2006 be lifted only with		
12	respect to the \$68,013.82 held in Bank of America bank account no. 05255-40012, so that said			
13	funds can be immediately paid to Plaintiffs.			
14	TENTE CO ADDEDED	TES DISTRICT		
15	IT IS SO ORDERED. August 6, 2008	STATE		
16	Dated July, 2008	istrate, Judge Edur ORDERED		
17	IVIUS	istrate, Judge Education ORDERED		
18		Judge Edward M. Chen		
20		Judge Ed.		
21				
22		DISTRICT OF CE		
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STIPULATION AND ORDER C03-5376-SBA C06-5590-EMC

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19		•	· •		
18	•				
17		Magistrate Judge Edward M. Chen	•		
16	Dated July, 2008	Mariatana Vandar William III a	·		
15	IT IS SO ORDERE	<b>D.</b>			
14		_			
13	flinds can be immediately paid to Plaintiffs,				
12	respect to the \$68,013.82 held in Bank of America bank account no. 05255-40012, so that said				
11	()	restraining order entered on Septemb			
10	Based upon the foregoing stipulation, and good cause appearing therefore, the Cour				
9		ORDER	.•		
7 8		Its: General Partner	•		
б т		Printed:			
5		Ву;	processing and an appropriate plants and a second polymorphics.		
4	Dated: July 2008	Guggs investments, LP			
3		By:	No.		
2		20,0	<b>Q</b>		
1	Dated: July, 2008	Ardis Guglielmo	·		
	<b>I</b> .				

Watt, Tieder, Hoffar & Bitzgerald, L.L.I Atmensik at flaw

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